



Cir. 1983).

In light of this standard, the Court has carefully reviewed the Report and has concluded that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 34), and Defendants' motion is denied (Doc. # 25).

**IT IS SO ORDERED.**

S/ Terry L. Wooten  
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**TERRY L. WOOTEN**  
**UNITED STATES DISTRICT JUDGE**

February 13, 2009  
Florence, South Carolina